

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSE ALFREDO JIMENEZ-AVILA,

Defendant.

CASE NO. 8:09CR60

MEMORANDUM AND ORDER

Before the Court are the Findings and Recommendation of Magistrate Judge Thomas D. Thalken (Filing No. 40). No objections have been filed. Under 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation their its entirety.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (Filing No. 40) are adopted in their entirety; and
2. The Defendant's motion to suppress (Filing No. 33) is denied, in accordance with the Findings and Recommendation.

DATED this 4th day of August, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge